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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/747,823 | 12/29/2003 | Mary S. Arnoff | 190250-1360 | 6456 |

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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/747,823 | Applicant(s) ARNOFF ET AL. | |
| | Examiner Olisa Anwah | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 2-7, 9-18 and 20-26 rejected under 35 U.S.C. § 102(e) as being anticipated by Skladman et al, U.S. Patent No. 6,487,278 (hereinafter Skladman).

Regarding claim 2, Skladman discloses a system for storing messages using multiple communication modalities, the system comprising:

means for receiving a first communication using a first standard communication protocol;

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means for converting the first communication to a second communication, the second communication being compatible with a second standard communication protocol; and

means (see unit 50 from Figure 1a) for storing the first communication; and

means (see unit 64 from Figure 1a) for separately storing the second communication (see columns 4 and 5).

Regarding claim 3, Skladman discloses a system for storing messages using multiple communication modalities, the system comprising:

a messaging (see unit 34 from Figure 1b) server configured to receive a first message, the messaging server further being configured to convert the first message to a second message, the first message being compatible with a first standard communication protocol, the second message being compatible with a second standard communication protocol;

a first communication (see unit 50 from Figure 1a) system configured to store the first message; and

a second communication (see unit 64 from Figure 1a) system configured to store the second message (see columns 4 and 5).

Regarding claim 4, see column 5.

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Regarding claim 5, see unit 50 from Figure 1a.

Regarding claim 6, see unit 64 from Figure 1a.

Regarding claim 7, see column 6.

Regarding claim 9, Skladman discloses a method for storing messages using multiple communication modalities, the method comprising the steps of:

receiving a voice signal;

digitizing the voice signal;

storing the voice signal in a legacy voicemail (see unit 50 from Figure 1a) system; and

storing the digitized voice signal in a digital voicemail (see unit 64 from Figure 1a) store (see columns 4 and 5).

Regarding claim 10, see column 5.

Regarding claim 11, see column 4.

Regarding claim 12, see column 5.

Regarding claim 13, Skladman discloses a method for storing messages using multiple communication modalities, the method comprising the steps of:

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receiving a first communication from a first communication system, the first communication system being configured to communicate using a first standard communication protocol;

converting the first communication to a second communication, the second communication being compatible with a second standard communication protocol; and

storing the first communication; and

separately storing the second communication (see columns 4 and 5).

Regarding claim 14, see Figure 1a.

Regarding claim 15, see unit 50 from Figure 1a.

Regarding claim 16, see column 5.

Regarding claim 17, see column 5.

Regarding claim 18, see column 6.

Regarding claim 20, see Figure 1a.

Regarding claim 21, see unit 50 from Figure 1a.

Regarding claim 22, see column 6.

Regarding claim 23, see column 6.

Regarding claim 24, see columns 4 and 5.

Regarding claim 25, see column 4.

Regarding claim 26, see column 5.

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Skladman.

Regarding claim 8, Skladman does not explicitly teach the second communication system is an instant messaging (IM) system configured to store the digitized voice signal as an IM message. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Skladman wherein the second communication system is an instant messaging (IM) system configured to store the digitized voice signal as an IM message. This modification would have improved the flexibility of Skladman's unified messaging system by employing disparate messaging systems as suggested by Skladman (see column 6).

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Claim 19 is rejected for the same reasons as claim 8.

Allowable Subject Matter

5. Claim 1 is allowed because Skladman does not teach:

(E) a digital messaging server (DMS) comprising:

(E1) a DMS digital port communicatively coupled to the NAS digital port, the DMS digital port further being communicatively coupled to the digital voicemail store, the DMS digital port being configured to receive the digitized signals from the NAS digital port, the DMS digital port further being configured to convey the digitized message to the digital voicemail store;

(E2) a digital-to-analog (D/A) converter configured to convert the digitized signal into an analog message; and

(E3) a DMS analog port communicatively coupled to the standard legacy voicemail system, the DMS analog voice port being configured to convey the analog message to the standard legacy voicemail system.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

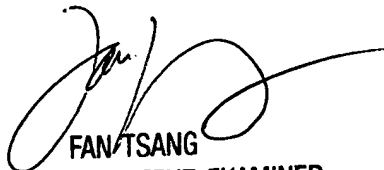
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.

Olisa Anwah
Patent Examiner
August 7, 2006


FAN TSANG
SUPERVISORY PATENT EXAMINER
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